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In re Application of: RODRIGO F. CHAQUI et al.  
Application No.: 09/743825  
Filing Date: 01/15/2002  
Title: PB 39, A GENE DYSREGULATED IN PROSTATE CANCER, AND USES THEREOF  
Direct to: U. S. Patent and Trademark Office  
Mail Stop: Duplicates  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application**

Statement (check the appropriate box):

- ☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.
- ☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).
- ☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.
- ☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

June 9, 2005  
Date

Nancy Axelrod  
Signature

Nancy J. Axelrod, Reg. No. 44,014  
Typed or printed name

**A Copy of this notice should be returned with the reply.**

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

PTO Doc Code: R251.RES (Rev. 03/05)



PATENT  
Attorney Docket No.: 31978-202420

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: R. Chuaqui *et al.* : Examiner: Minh-Tam DAVIS  
Serial No.: 09/743,825 : Group Art Unit: 1642  
Filed: January 15, 2002 : USPTO Customer No.: **45323**  
For: PB39, A GENE DYSREGULATED IN : Confirmation No. 8611  
PROSTATE CANCER, AND USES  
THEREOF

**RESPONSE TO NOTICE UNDER 37 C.F.R. 1.251**

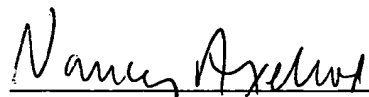
Assistant Commissioner of Patents  
P.O. Box 1450  
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**ATTENTION: MAIL STOP AF**

Sir:

In response to the Notice Under 37 C.F.R. 1.251, applicant have provided copies of the last two references from the "List of References Cited by Examiner (PTO-892), dated May 5, 2004. The copy of each paper is a complete and accurate copy of applicant's record of such paper.

Respectfully submitted,

Date: June 9, 2005

  
Nancy J. Axelrod, Ph.D.  
Registration No. 44,014  
VENABLE LLP  
575 7<sup>th</sup> Street, NW  
Washington, D.C. 20004-1601  
Direct telephone: (202) 344-8334  
Telefax: (202) 344-8300



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### NOTICE UNDER 37 CFR 1.251 - Pending Application

☐ The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

The last two references from the "List of References Cited by Examiner (PTO-892)," dated 5/5/04:

- MPSRCH sequence search report, 2004, us-09-743-825-1.mg, pages 4-6
- Genbank Sequence Database, Accession No: G22380, and MPSRCH search report, 2004, us-09-743-825-7.rge, p. 1-2, and us-09-743-825-10.rge, p. 1-2

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the file listed on the cover sheet or any copy of the paper(s) listed, applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

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PTO Doc. Code: R251.NTC (Rev. 03/05)